

Article - Public Utilities

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§13–201.

(a) This section does not apply to a violation of the following provisions of this article:

- (1) Title 5, Subtitle 4;
- (2) Title 7, Subtitle 1;
- (3) § 7–213 as it applies to electric cooperatives;
- (4) Title 8, Subtitles 1 and 3;
- (5) Title 9, Subtitle 3; and
- (6) Title 8, Subtitle 4.

(b) (1) Except as provided in paragraph (2) of this subsection, the Commission may impose a civil penalty not exceeding \$25,000 against a person who violates a provision of this division, or an effective and outstanding direction, ruling, order, rule, or regulation of the Commission.

(2) The civil penalty that the Commission may impose on a common carrier for each violation may not exceed \$2,500.

(c) (1) A civil penalty may be imposed in addition to any other penalty authorized by this division.

(2) Each violation is a separate offense.

(3) Each day or part of a day the violation continues is a separate offense.

(d) The Commission shall determine the amount of any civil penalty after considering:

- (1) the number of previous violations of any provision of this article;
- (2) the gravity of the current violation;

(3) the good faith efforts of the violator in attempting to achieve compliance after notification of the violation; and

(4) any other matter that the Commission considers appropriate and relevant.

(e) (1) Except as provided in paragraphs (2) and (3) of this subsection, a civil penalty collected under this section shall be paid into the General Fund of the State.

(2) A civil penalty assessed for a violation of a service quality and reliability standard under § 7–213 of this article shall be paid into the Electric Reliability Remediation Fund under § 7–213(j) of this article.

(3) A civil penalty assessed for a violation of § 7–505(b)(7), § 7–507, § 7–603, § 7–604, or § 7–606 of this article, or a rule, an order, or a regulation adopted under any of those sections, shall be paid into the Retail Choice Customer Education and Protection Fund under § 7–310 of this article.

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